

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: Boyce et al. Paper No:
Serial No: 08/056,029 Group:
Filed: April 30, 1993 Examiner: Shelbourne
For: A REINFORCED JOINT FOR Docket No: FM-112J
COMPOSITE STRUCTURES AND
METHOD OF JOINING COMPOSITE
PARTS

Commissioner of Patents and Trademarks
U.S. Patent and Trademark Office
Washington, DC 20231



CERTIFICATE OF MAILING

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Charlene Lans

SUPPLEMENTAL APPEAL BRIEF

The information in this Supplemental Appeal Brief was not earlier presented because its basis (the International Preliminary Examination Report in the companion PCT case) was not received by the appellants until April 10, 1995 after the appellants filed an Appeal Brief on April 5, 1995. Therefore, appellants submits that this is a good and sufficient reason that the following remarks should be entered into the record on Appeal.

REMARKS

The appellants appreciate the Examiner's and Board's thorough examination of their Appeal Brief and wish to supplement their Appeal Brief with the following pertinent information derived from the companion PCT case

(PCT/US94/04733) in which the same reference, Boyce et al. was initially used to reject appellants' claims.

As in the U.S. case, now on appeal, the PCT Examiner initially stated that "the instantly claimed method of joining composite parts and/or non-composite parts would appear to be the same as, or at least obvious over, the method of Boyce et al. Fig. 8 appears to disclose joining composite articles by the process set forth above. Such renders obvious the [appellants'] claimed joint composite since the material elements of the claimed structure are encompassed by Boyce et al."

In addition the PCT Examiner stated that "the description is objected to under PCT rule 66.2(a)(v) as lacking clarity under PCT Article 5 because it fails to adequately enable practice of the claimed invention because: the claimed elements of single 'reinforcing elements' and 'adherents' are broader terms than the description enables".

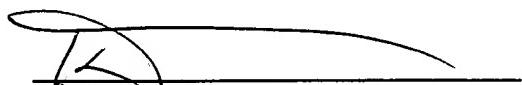
Appellants, in response to this written opinion, made the same arguments that are found in their Appeal Brief.

In response to these arguments, the PCT Examiner held: "claims 1-4, 6-20 and 22 meet the criteria set out in PCT Article 33 (2)-(4), because the prior art does not teach or fairly suggests the particular steps of the method claimed, particularly disposing an adherent within the joint region. Claims 1-22 meet the criteria of industrial applicability since the method is useful for making reinforced structural parts".

Therefore, appellants submit that these arguments used both in their response to the PCT Examiner's written opinion and in the instant Appeal Brief distinguish appellants' claimed invention over the Boyce et al. reference.

If for any reason this Supplemental Brief is found to be incomplete, or if at any time it appears that a telephone conference with counsel would help advance the appeal, please telephone the undersigned or his associate, Joseph S. Iandiorio, collect in Waltham, Massachusetts, (617) 890-5678.

Respectfully submitted,



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